

## Message Text

CONFIDENTIAL

PAGE 01 TEHRAN 06636 121215Z  
ACTION L-03

INFO OCT-01 EUR-12 EA-10 NEA-10 ISO-00 OES-09 NRC-05  
MCE-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00  
ICAE-00 INRE-00 ACDA-12 SOE-02 AF-10 ARA-10 PM-05  
H-01 INR-10 IO-13 NASA-01 OIC-02 SP-02 PA-01  
CEQ-01 SS-15 /135 W

-----105937 121222Z/41

O 121020Z JUL 78  
FM AMEMBASSY TEHRAN  
TO SECSTATE WASHDC IMMEDIATE 9334  
INFO USDOE WASHDC IMMEDIATE  
AMEMBASSY CANBERRA  
AMEMBASSY OTTAWA  
AMEMBASSY VIENNA

C O N F I D E N T I A L TEHRAN 6636

USDOE FOR SIEVERING

USIAEA

EO 11652: GDS  
TAGS: ENRG, PARM, IR  
SUBJ: US-IRAN NUCLEAR COOPERATION AGREEMENT

REF: STATE 125797

1. DEPUTY ASSISTANT SECRETARY NOSENZO, ASSISTANT LEGAL ADVISOR BETTAUER AND SCIATT MET WITH AEOI PRESIDENT DR. ETEMAD, VICE PRESIDENT (INTERNATIONAL AFFAIRS) MANZOOR AND LEGAL ADVISOR TABARI ON JULY 8-11 TO CONSIDER OUTSTANDING ISSUES IN DRAFT NUCLEAR COOPERATION AGREEMENT AND ACCOMPANYING NOTE. REMAINING ISSUES RESOLVED AND DRAFT AGREEMENT AND ACCOMPANYING NOTE INITIALED AND REFERENDUM ON JULY 11. TEXTS ARE BEING HAND CARRIED TO WASHDC.

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PAGE 02 TEHRAN 06636 121215Z

2. PRINCIPAL MODIFICATIONS TO NOTE (PARA 3 REFTL)  
ARE AS FOLLOWS:  
A. REPROCESSING MFN (NEW PARA 9 OF NOTE): "NOTWITH-  
STANDING THE PREVIOUS PARAGRAPHS, WHEN THE NEED ARISES  
FOR IRAN TO ARRANGE FOR DISPOSITION OF ITS SPENT FUEL,  
IF THE UNITED STATES HAS, SUBSEQUENT TO THE DATE OF

ENTRY INTO FORCE OF THIS AGREEMENT, APPROVED THE  
REPROCESSING OF ANY OTHER COOPERATING STATE'S SPENT  
FUEL TO ACCOMMODATE THAT STATE'S FUEL CYCLE MANAGEMENT,  
THE UNITED STATES WOULD APPROVE REPROCESSING OF IRANIAN  
SPENT FUEL TO MEET COMPARABLE IRANIAN NEEDS, IN THE  
UNITED KINGDOM, FRANCE OR OTHER MUTUALLY AGREED STATES  
UNDER ARRANGEMENTS WHICH PROVIDE IRAN WITH BENEFITS  
COMPARABLE TO THOSE PROVIDED TO SUCH OTHER STATE AND  
UNDER TERMS AND CONDITIONS NO LESS FAVORABLE THAN THOSE  
APPLICABLE TO SUCH OTHER STATE."

B. RETRANSFER (NEW PARAGRAPH TO BE INSERTED IN NOTE  
BETWEEN PARA 10 AND 11): "WITH REFERENCE TO ANY MATERIAL,  
EQUIPMENT OR COMPONENTS TRANSFERRED BY THE UNITED STATES  
PURSUANT TO THE AGREEMENT, OR PRODUCED THROUGH THE  
USE THEREOF, THE UNITED STATES WILL ACT ON A TIMELY  
BASIS ON REQUESTS FROM IRAN FOR AGREEMENT TO TRANSFER  
SUCH MATERIAL, EQUIPMENT OR COMPONENTS TO OR FROM  
IRAN. MOREOVER, THE UNITED STATES INTENDS TO ACT  
EXPEDITIOUSLY ON ANY REQUEST FOR AGREEMENT TO TRANSFER  
TO INTERMEDIATE DESTINATIONS FOR PURPOSES OF CONVERSION,  
ENRICHMENT, FABRICATION OR OTHER PROCESSING IN THE  
PREPARATION OF FUEL ELEMENTS FOR USE IN IRAN WHERE SUCH  
TRANSFERS HAVE BEEN IDENTIFIED IN AN APPLICABLE EXPORT  
LICENSE APPLICATION. THE UNITED STATES WILL PROMPTLY  
ADVISE IRAN OF ITS AGREEMENT TO TRANSFER REQUESTS OR OF  
THE REASONS FOR ANY OTHER ACTION ON SUCH REQUESTS."

CONFIDENTIAL

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PAGE 03 TEHRAN 06636 121215Z

C. GENERAL MFN (SENTENCE ADDED TO END OF PARA 3):  
"MOREOVER, THE UNITED STATES INTENDS TO IMPLEMENT THE  
PROVISIONS OF THE AGREEMENT IN SUCH A MANNER AS TO  
FACILITATE THE EFFICIENT AND ECONOMIC OPERATION OF  
IRAN'S NUCLEAR PROGRAM AND THE SATISFACTION OF IRAN'S  
LEGITIMATE NEEDS FOR TECHNOLOGY TRANSFER."

D. IMPLEMENTATION (NEW PARAGRAPH TO BE INSERTED IN NOTE  
BETWEEN PARAGRAPHS 11 AND 12): "THE PARTIES AFFIRM  
THEIR INTENTION TO IMPLEMENT THE AGREEMENT AND THIS  
NOTE IN GOOD FAITH AND IN A SPIRIT OF CLOSE COOPERATION,  
IN ACCORDANCE WITH THEIR APPLICABLE TREATIES, NATIONAL  
LAWS, REGULATION AND LICENSE REQUIREMENTS."

3. PRINCIPAL MODIFICATIONS TO AGREEMENT (PARA 2  
REFTEL) WERE ADDITION OF COMPONENTS AS DEFINED CATEGORY  
UNDER AGREEMENT WITH PROVISION FOR IAEA AND BACK UP  
SAFEGUARDS, NO-EXPLOSIVE PLEDGE AND U.S. CONSENT FOR  
RETRANSFER. WE PROPOSED NEW LANGUAGE CONTAINED IN  
MODEL AGREEMENT ON PROTECTION OF THE INTERNATIONAL  
ENVIRONMENT, BUT IRANIAN SIDE PREFERRED EXISTING  
LANGUAGE OF ARTICLE 13 OF DRAFT US-IRAN AGREEMENT,  
NOTING THAT U.S. AND IRAN ALREADY HAVE ACTIVE COOPERATIVE

EFFORT IN ENVIRONMENTAL PROTECTION AREA.

4. U.S. AND IRANIAN PROCEDURES FOR APPROVAL WERE REVIEWED WITH ETEMAD AND MANZOOR. PLAN IS TO SUBMIT TEXTS FOR APPROVAL BY TWO GOVERNMENTS WITH SUBSEQUENT SIGNING OF AGREEMENT IN TEHRAN (IRANIAN PREFERENCE). WE INDICATED THAT U.S. SHOULD BE READY FOR SIGNATURE IN ABOUT ONE MONTH IF ALL NECESSARY ACTIONS WERE TAKEN ON URGENT BASIS. ETEMAD SAID THAT GOI WOULD NEED ABOUT SAME AMOUNT OF TIME. IT WAS AGREED THAT SINCE AGREEMENT IS AD REFERENDUM THERE SHOULD BE MINIMAL PUBLICITY OF MATTER UNTIL OFFICIAL SIGNING. PRESS WOULD BE TREATED ON AN IF ASKED BASIS, ACKNOWLEDGING THAT TEXTS HAVE BEEN AGREED AD REFERENDUM AND WERE NOW BEING CONSIDERED

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PAGE 04 TEHRAN 06636 121215Z

BY TWO GOVERNEMENTS.

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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Decaption Date:** 01 jan 1960  
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**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014